

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

No. M 07-1827 SI
MDL. No. 1827

This Order Relates to:

**ORDER RE: APRIL 23, 2014 CASE
MANAGEMENT CONFERENCE**

*The AASI Creditor Liquidating Trust, by and
through Kenneth A. Welt, Liquidating Trustee v.
AU Optronics, et al.*, Case No. 3:11-cv-5781 SI

Acer America Corp. v. Hitachi Ltd., et al., Case
No. 3:13-cv-3349 SI

*Alfred H. Siegel, as Trustee of the Circuit City
Stores, Inc. Liquidating Trust v. AU Optronics
Corp., et al.*, Case No. 3:10-cv-5625 SI

*CompuCom Systems, Inc. v. AU Optronics
Corp., et al.*, Case No. 3:11-cv-6241 SI

*Home Depot U.S.A., Inc. v. AU Optronics
Corp., et al.*, Case No. 3:13-cv-6001 SI

*Interbond Corp. of America v. AU Optronics
Corp., et al.*, Case No. 3:11-cv-3763 SI

*MetroPCS Wireless, Inc. v. AU Optronics
Corp., et al.*, Case No. 3:11-cv-829 SI

*NECO Alliance LLC v. AU Optronics Corp., et
al.*, Case No. 3:12-cv-1426 SI

Office Depot, Inc. v. AU Optronics Corp., et al.,
Case No. 3:11-cv-2225 SI

1 *P.C. Richard & Son Long Island Corp. et al., v.*
2 *AU Optronics Corp., et al.,* Case No. 3:11-cv-
4119 SI

3 *Proview Technology, Inc. v. AU Optronics*
4 *Corp., et al.,* Case No. 3:12-cv-3802 SI

5 *S.B. Liquidation Trust v. AU Optronics Corp., et*
6 *al.,* Case No. 3:10-cv-5458 SI

7 *Schultze Agency Servs. LLC, on behalf of*
8 *Tweeter Opco. LLC and Tweeter Newco, LLC v.*
9 *AU Optronics Corp., et al.,* Case No. 3:11-cv-
3856 SI

10 *Sony Elec., Inc. v. AU Optronics Corp., et al.,*
11 *Case No. 3:12-cv-2214 SI*

12 *State of Oregon v. AU Optronics Corp., et al.,*
13 *Case No. 3:10-cv-4346 SI*

14 *Tech Data Corp., et al. v. AU Optronics Corp.,*
15 *et al.,* Case No. 3:11-cv-5765 SI

16 *Tracfone Wireless, Inc. v. AU Optronics Corp.,*
17 *et al.,* Case No. 3:10-cv-3205 SI

18 _____/

19 On April 23, 2014, the Court held a case management conference in the remaining Track 2 and
20 Track 3 cases, as well as the case brought by the State of Oregon, *State of Oregon v. AU Optronics*
21 *Corp., et al.,* C 10-4346 SI.

22 The Court GRANTED the administrative motion for substitution of liaison counsel for direct
23 action plaintiffs. Docket No. 8957. The Court hereby appoints David B. Esau of the firm Carlton Fields
24 Jorden Burt as Liaison Counsel for the Direct Action Plaintiffs. Carl Blumenstein will continue in his
25 role as Liaison Counsel for defendants. The Court will issue a separate order regarding AUO's
26 administrative motion regarding liaison counsel for the direct and indirect purchaser classes. Docket
27 No. 8963.

28 As discussed during the conference, there are thirteen remaining Track 2 cases. Mr. Blumenstein
informed the Court that one of those cases, *SB Liquidation Trust*, C 10-5458 SI, has settled and that the
parties expect to file a dismissal shortly. In the *Sony* case, C 12-2214 SI, the parties will file a stipulated
judgment so the parties can proceed directly to an appeal in the Ninth Circuit. At the conclusion of

1 pretrial proceedings in this Court, ten of the Track 2 cases will be remanded to their respective transferor
2 courts. Those cases are *AASI Creditor Liquidating Trust*, C 11-5781 SI; *Interbond Corp.*, C 11-3763 SI;
3 *CompuCom*, C 11-6241 SI; *MetroPCS Wireless*, C 11-829 SI; *NECO Alliance*, C 12-1426 SI; *Office*
4 *Depot*, C 11-2225 SI; *P.C. Richard & Son*, C 11-4119 SI; *Tech Data Corp.*, C 11-5765 SI; *Tracfone*
5 *Wireless*, C 10-3205 SI; and *Schultze Agency Services LLC*, C 11-3856 SI.

6 The final Track 2 case, *Alfred H. Siegel*, C10-5625 SI (“*Circuit City*”), and the three Track 3
7 cases (*Acer*, C 13-3349 SI; *Proview*, C 12-3802 SI; and *Home Depot*, C 13-6001 SI), were originally
8 filed in this Court. The Court directed plaintiffs’ counsel in these cases to meet and confer with
9 defendants’ liaison counsel regarding a further pretrial schedule for the Track 3 cases, as well as
10 proposed trial dates for all four cases. As the Court informed the parties, it is the Court’s expectation
11 that these cases can be tried before the end of 2015, with the *Circuit City* trial taking place during the
12 summer of 2015. The parties shall file a proposed pretrial schedule for the Track 3 cases, and proposed
13 trial dates for *Circuit City* and the Track 3 cases, by **May 7, 2014**. The Court also GRANTED counsel’s
14 request for a one week extension of the deadline to file supplemental briefs on the motion to dismiss
15 *Proview*’s state claims; the supplemental briefs are now due **May 9, 2014**.

16 Finally, the *Oregon* case, C 10-4346 SI, is proceeding on a separate pretrial schedule, and that
17 case will be remanded to the transferor court after the conclusion of pretrial proceedings in this Court.

18
19 **IT IS SO ORDERED.**

20
21 Dated: April 23, 2014

22 
23 SUSAN ILLSTON
24 United States District Judge
25
26
27
28